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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/927,555	08/09/2001	Helmut Braun	A-2900	6226
7	590 03/12/2003			
LERNER AND GREENBERG, P.A. PATENT ATTORNEYS AND ATTORNEYS AT LAW Post Office Box 2480			EXAMINER	
			NGUYEN, ANTHONY H	
Hollywood, FL	2 33022-2480		ART UNIT	PAPER NUMBER
			2854	

DATE MAILED: 03/12/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Fr 1 13 _		Application No.	Applicant(s)	<del>)(</del>			
Office Action Summary							
		09/927,555	BRAUN ET AL.				
		Examiner	Art Unit				
	The MAILING DATE of this communication app	Anthony H Nguyen	ith the correspondency address				
Period			rai the correspondence address ==				
THE I - External after - If the If NC - Failur - Any r	ORTENED STATUTORY PERIOD FOR REPL' MAILING DATE OF THIS COMMUNICATION. nsions of time may be available under the provisions of 37 CFR 1.1 SIX (6) MONTHS from the mailing date of this communication. period for reply specified above is less than thirty (30) days, a reply period for reply is specified above, the maximum statutory period or to reply within the set or extended period for reply will, by statute reply received by the Office later than three months after the mailing ad patent term adjustment. See 37 CFR 1.704(b).	36(a). In no event, however, may a y within the statutory minimum of th vill apply and will expire SIX (6) MO , cause the application to become A	reply be timely filed  rty (30) days will be considered timely.  NTHS from the mailing date of this communication  BANDONED (35 U.S.C. § 133).	1.			
1)⊠	Responsive to communication(s) filed on 09 /	<u> August 2001</u> .					
2a) <u></u> □	This action is <b>FINAL</b> . 2b)⊠ Th	is action is non-final.					
3) 🗌	Since this application is in condition for allowed	ance except for formal ma	atters, prosecution as to the merits i	is			
Dispositi	closed in accordance with the practice under ion of Claims	Ex parte Quayle, 1935 C	.D. 11, 453 O.G. 213.				
4) 🖂	Claim(s) <u>1-35</u> is/are pending in the application	1.					
4a) Of the above claim(s) is/are withdrawn from consideration.							
5)	Claim(s) is/are allowed.						
6)	Claim(s) is/are rejected.						
7)	Claim(s) is/are objected to.						
	Claim(s) $\underline{\text{1-35}}$ are subject to restriction and/or	election requirement.					
	on Papers						
·	The specification is objected to by the Examine						
10)[]	The drawing(s) filed on is/are: a)☐ accept	,					
44) 🗆 :	Applicant may not request that any objection to the	• , ,	` '				
11)	The proposed drawing correction filed on	- , ,-	disapproved by the Examiner.				
If approved, corrected drawings are required in reply to this Office action.  12) The oath or declaration is objected to by the Examiner.							
	inder 35 U.S.C. §§ 119 and 120	annie.					
	Acknowledgment is made of a claim for foreign	n priority under 35 U.S.C.	\$ 110(a) (d) or (f)				
	All b) Some * c) None of:	i priority under 33 0.3.0.	3 119(a)-(u) or (i).				
a) <sub>l</sub>		s have been received					
	<ul> <li>1. Certified copies of the priority documents have been received.</li> <li>2. Certified copies of the priority documents have been received in Application No.</li> </ul>						
	3. Copies of the certified copies of the priority documents have been received in this National Stage						
* 8	application from the International Bu See the attached detailed Office action for a list	reau (PCT Rule 17.2(a)).	_				
14) 🗌 A	cknowledgment is made of a claim for domesti	c priority under 35 U.S.C	§ 119(e) (to a provisional applicati	on).			
	)	· •					
Attachmen	t(s)						
2) Notic	e of References Cited (PTO-892) e of Draftsperson's Patent Drawing Review (PTO-948) nation Disclosure Statement(s) (PTO-1449) Paper No(s) _	5) Notice of	Summary (PTO-413) Paper No(s) Informal Patent Application (PTO-152)				

Application/Control Number: 09/927,555

Art Unit: 2854

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## Election/Restriction

Restriction to one of the following inventions is required under 35 U.S.C. 121:

- I. Claims 1-21, 22-32 and 35, drawn to a printing machine including device for generating an air stream per se, classified in class 101, subclass 424.1.
- II. Claims 33 and 34, drawn to a method of powdering print carriers in a printing machine, classified in class 101, subclass 483.

Inventions of Group I and Group II are related as process and apparatus for its practice. The inventions are distinct if it can be shown that either: (1) the process as claimed can be practiced by another materially different apparatus or by hand, or (2) the apparatus as claimed can be used to practice another and materially different process. (MPEP § 806.05(e)). In this case the process of Group II can be used by materially different apparatus such as cleaning a surface of an object.

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classifications restriction for examination purposes as indicated is proper.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the

Application/Control Number: 09/927,555

Art Unit: 2854

erapplication. Any amendment of inventorship must be accompanied by a petition under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(I).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anthony Nguyen whose telephone number is (703) 308-2869. The examiner can normally be reached daily from 9 AM to 5PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Hirshfeld, can be reached on (703) 305-6619. The fax phone number for this Group is (703) 308-7722.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956.

Anthony Nguyen

3/6/03

**Patent Examiner** 

Technology Center 2800

Page 3